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THE ARNS LAW FIRM

A Professional Corporation
515 Folsom Street, 3rd Floor
San Francisco, California 94105
Phone: (415) 495-7800
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Attorneys for Cherie, Brody, and Kellen Lehman

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In Re

PG&E CORPORATION,

and

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

☐ Affects PG&E Corporation
☐ Affects Pacific Gas & Electric
☒ Affects Both Debtors

*All papers shall be filed in the Lead Case,
No. 19-30088-DM

Case No.: 19-30088-DM

Chapter 11

(Lead Case—Jointly Administered)

**MOTION TO ALLOW/DEEM
TIMELY LATE FILING OF PROOF
OF CLAIM BY MOVANTS, AND
MEMORANDUM OF POINTS AND
AUTHORITIES AND DECLARATION
OF ROBERT S. ARNS IN SUPPORT
THEREOF**

Date: September 28, 2022

Time: 10:00 a.m.

Location: Via Zoom or Telephonic
Appearance Only

Judge: Hon. Dennis Montali

Objection Date: September 21, 2022

Pursuant to the Federal Rules of Bankruptcy Procedure, Rule 9006(b)(1), Cherie, Brody, and Kellen Lehman (“Movants” or the “Lehman family”) hereby file this Motion to seek an Order to deem timely a late filed Proof of Claim (Claim No. 108768), that was filed on August 16, 2022, with Prime Clerk and submitted with this Motion as **Exhibit A**, to be considered timely filed.

This Motion is based upon the points and authorities, the Declaration of Cherie Lehman, and the Declaration of Robert S. Arns in support thereof, as well as the concurrently filed Notice of Hearing, and any evidence or oral argument presented at the time of the hearing on this matter.

I. SUMMARY OF ARGUMENT

A proof of claim may be deemed timely upon a showing of excusable neglect and lack of prejudice. In determining whether a party’s neglect is excusable, the court must consider several factors when ruling on whether a late claim should be permitted. *Pioneer Investment Services Co. v. Brunswick Associates Ltd. Partnership*, 507 U.S. 380, 395 (1993). These factors include: (1) the danger of prejudice to the debtor; (2) the length of the delay and its potential impact on judicial proceedings; (3) the reason for the delay, including whether it was within the reasonable control of the movant; and (4) whether the movant acted in good faith. *Id.*

In this case, the Lehman family lost their home and nearly all their personal possessions in the fire. Their home was located at 25 Pinnacle Peak Street, Napa, CA 94558. On the night of the fire the Lehman family—including Cherie’s late husband and Brody and Kellen’s father, Eric Lehman—evacuated their home only minutes before the fire consumed their entire property. After the fire, the Lehman family continued to care for Eric who at this point had been declining in health and would ultimately pass away on February 25, 2020. The Lehman family failed to file a timely proof of claim because they were involved with providing continuous care for Eric prior to his passing. Furthermore, following Eric’s death, the Lehman family were involved in a lawsuit unrelated to the fires, but arising from the death of their husband and father, and were unaware that the deadline to file a claim had passed.

1 The Lehman family did not file a claim sooner because they were desperately trying to
2 provide care for, and were only concerned with, Eric Lehman.

3 II. PROCEDURAL BACKGROUND

4 On January 29, 2019, the Debtors, PG&E Corporation and Pacific Gas and Electric
5 Company filed a voluntary Chapter 11 Petition. On July 2, 2019, the Court entered an order
6 establishing October 21, 2019 as the original deadline for filing proofs of claim. The deadline for
7 filing claims was later extended to December 31, 2019.

8 III. FACTUAL BACKGROUND

9 On October 8, 2017, Cherie, Eric, Brody, and Kellen Lehman lost their beloved home in
10 the Atlas Peak Fire. The Lehman family had been living in their home at 25 Pinnacle Peak Street,
11 Napa, California, for over two decades. On the night of fire, the Lehman family was awoken by
12 their dogs and witnessed a raging fire from their front door. They immediately packed their pets
13 into their vehicles and evacuated their home. The Lehman family witnessed their home consumed
14 by the fire as they evacuated the neighborhood. They knew they had lost everything in the fire.

15 Following the fire, the Lehman family continued to care for Eric whose health continued
16 to decline rapidly in 2019. Eric passed away on February 25, 2020—approximately five years
17 since his initial battle with this disease. Up until the day of his passing, Cherie and his children
18 devoted all of their time to care for their husband and father. Thus, the Lehman family did not
19 file a claim within the deadline period because they were taking care of Eric who passed away a
20 few months after the December 31, 2019 deadline.

21 The Lehman family only recently learned about the Fire Victim Trust and were unaware
22 whether they could file a proof of claim. On August 9, 2022, Cherie, Brody, and Kellen met with
23 an attorney from The Arns Law Firm to discuss in detail their claims arising from the Atlas Peak
24 fire. After this meeting, The Arns Law Firm prepared the Proof of Claim on behalf of the Lehman
25 Family. A true and correct copy of the Proof of Claim is attached to the Declaration of Robert S.
26 Arns as **Exhibit A**.

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IV. ARGUMENT

The time in which to make claims in a Chapter 11 bankruptcy may be extended by motion based on excusable neglect. Federal Rules of Bankruptcy Procedure, Rule 9006(b)(1). Determination of excusable neglect has been interpreted by the United States Supreme Court as an equitable consideration.

[W]e conclude that the determination is at bottom an equitable one, taking account of all relevant circumstances surrounding the party's omission. These include . . . the danger of prejudice to the debtor, the length of the delay and its potential impact on judicial proceedings, the reason for the delay, including whether it was within the reasonable control of the movant, and whether the movant acted in good faith.

Pioneer Investment Services Co. v. Brunswick Associates Ltd. Partnership, 507 U.S. 380, 395 (1993).

Here, there is no danger of prejudice to the Debtors in this case as the claim will not disrupt the ongoing distribution process. *See In re Sacred Heart Hosp.* 186 B.R. 891, 897 (Bankr. E.D. Penn. 1995) ("Exactly how the debtor's assets are distributed is ultimately of little consequence to the debtor, so long as the claim is not filed so late as to disrupt the distribution process). Secondly, and upon receiving all the necessary information from the Lehman family, the Proof of Claim was filed shortly thereafter. Thirdly, the reason for the delay in filing a claim was due substantially to Eric Lehman's rapid decline in health and the Lehman family's obligation to care for and spend time with Eric prior to his passing in early 2020. Moreover, after the fire, the Lehman family's attention was reserved for Eric and they were unaware of a claims process until recently. Lastly, the Lehman family acted in good faith as the failure to file was not based on litigation tactics but as a result of being overwhelmed by the loss of a husband and a father.

In light of the *Pioneer* factors, counsel for the Lehman family respectfully requests the Court allow the claim to be deemed timely filed.

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V. CONCLUSION

For the reasons set forth above, Movants respectfully requests that this Court enter an Order as follows:

1. Granting the Motion;
2. Finding that the Movants be allowed to file a Proof of Claim (Claim No. 108768) and is deemed having been timely filed; and
3. Granting such other or further relief as the Court deems just and proper.

Dated: August 17, 2022

THE ARNS LAW FIRM

By: /s/ Robert S. Arns
ROBERT S. ARNS
Attorneys for Movants

Robert S. Arns, State Bar No. 65071 (rsa@arnslaw.com)
Jonathan E. Davis, State Bar No. 191346 (jed@arnslaw.com)
Shounak S. Dharap, State Bar No. 311557 (ssd@arnslaw.com)
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In Re

PG&E CORPORATION,

and

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

☐ Affects PG&E Corporation
☐ Affects Pacific Gas & Electric
☒ Affects Both Debtors

*All papers shall be filed in the Lead Case,
No. 19-30088-DM

Case No.: 19-30088-DM

Chapter 11

(Lead Case—Jointly Administered)

**DECLARATION OF ROBERT S.
ARNS IN SUPPORT OF MOTION TO
ALLOW/DEEM TIMELY LATE
FILING OF PROOF OF CLAIM**

Date: September 28, 2022

Time: 10:00 a.m.

Location: Via Zoom or Telephonic
Appearance Only

Judge: Hon. Dennis Montali

Objection Date: September 21, 2022

1 I, Robert S. Arns, hereby declare as follows:

- 2 1. I am an attorney licensed to practice law before all state and federal courts of the State of
3 California. I am the founding partner of The Arns Law Firm, counsel for Cherie Lehman,
4 Brody Lehman and Kellen Lehman (the “Movants”) herein.
5 2. My firm represents wildfire victims who sustained losses from the North Bay Fires and
6 Camp Fire.
7 3. On August 16, 2022, my firm filed a Proof of Claim (Claim No. 108768) for Movants. A
8 true and correct copy of the Proof of Claim is attached hereto as **Exhibit A**.
9 4. A true and correct copy of the Declaration of Cherie Lehman is attached hereto as **Exhibit**
10 **B**.
11

12 I declare under penalty of perjury under the laws of the United States that the foregoing is true
13 and correct and based upon my own personal knowledge, and that if called upon to testify, I could
14 verify the accuracy of the same. Executed on August 17, 2022 in San Francisco, California.
15

16 THE ARNS LAW FIRM
17

18 By: /s/ Robert S. Arns
19 ROBERT S. ARNS
20 Attorneys for Movants
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EXHIBIT A

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	Cherie Lehman Name of the current creditor (the person or entity to be paid for this claim)	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: Brody Lehman Kellen Lehman _____ _____ _____	
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Name Cherie Lehman Attorney Name (if applicable) Truong X. Pham Attorney Bar Number (if applicable) 339998 Street Address 515 Folsom Street, 3rd Floor City San Francisco State CA Zip Code 94105 Phone Number (415) 495-7800 Email Address txp@arnslaw.com	Where should payments to the creditor be sent? (if different) Name _____ Attorney Name (if applicable) _____ Attorney Bar Number (if applicable) _____ Street Address _____ City _____ State _____ Zip Code _____ Phone Number _____ Email Address _____
5. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on MM / DD / YYYY	
6. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2:**Give Information About the Claim as of the Date this Claim Form is Filed**

7. What fire is the basis of your claim?

Check all that apply.

- ☐ Camp Fire (2018)
☒ North Bay Fires (2017)
☐ Ghost Ship Fire (2016)
☐ Butte Fire (2015)
☐ Other (please provide date and brief description of fire: _____)

8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)

Location(s): 25 Pinnacle Peak Street, Napa, CA 94558

9. How were you and/or your family harmed?

Check all that apply

- ☒ Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage)
☒ Owner ☐ Renter ☒ Occupant ☐ Other (Please specify): _____
☒ Personal Injury
☐ Wrongful Death (if checked, please provide the name of the deceased) _____
☒ Business Loss/Interruption
☐ Lost wages and earning capacity
☒ Loss of community and essential services
☐ Agricultural loss
☒ Other (Please specify): **Nuisance and Zone of Danger**

10. What damages are you and/or your family claiming/seeking?

Check all that apply

- ☒ Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage)
☒ Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage)
☒ Punitive, exemplary, and statutory damages
☒ Attorney's fees and litigation costs
☒ Interest
☒ Any and all other damages recoverable under California law
☐ Other (Please specify): _____

11. How much is the claim?

- ☐ \$ _____ (optional)
☒ Unknown / To be determined at a later date

Part 3: Sign Below

The person completing this proof of claim must sign and date it.
FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☐ I am the creditor.
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: Truong X. Pham
Truong X. Pham (Aug 16, 2022 12:14 PDT)

Email: txp@arnslaw.com

Signature

Print the name of the person who is completing and signing this claim:

Name	Truong X. Pham		
	First name	Middle name	Last name
Title	Attorney		
Company	The Arns Law Firm		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	515 Folsom Street, 3rd Floor		
	Number	Street	
	San Francisco	CA	94105
	City	State	ZIP Code
Contact phone	(415) 495-7800	Email	txp@arnslaw.com

Attach Supporting Documentation (limited to a single PDF attachment that is less than 5 megabytes in size and under 100 pages):

☐ I have supporting documentation.
(attach below)

☒ I do not have supporting documentation.

PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM. PROOFS OF CLAIM AND ATTACHMENTS ARE PUBLIC DOCUMENTS THAT WILL BE AVAILABLE FOR ANYONE TO VIEW ONLINE.

IMPORTANT NOTE REGARDING REDACTING YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTATION When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Prime Clerk and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Prime Clerk and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Prime Clerk or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Prime Clerk and the Clerk of the Court are authorized, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

Instructions for Proof of Claim (Fire Claim Related)

United States Bankruptcy Court

You may have a claim against the Debtors for monetary loss, personal injury (including death), or other asserted damages arising out of or related to a fire. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the chapter 11 process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- **Fill in all of the information about the claim as of the date this claim form is filed.**
- **If the claim has been acquired from someone else, then state the identity of the last party** who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- **For a minor child, fill in only the child's initials and the full name of the child's parent or guardian.** For example, write *A.B., a minor child (John Doe, parent)*. See Bankruptcy Rule 9037.
- **You may but are not required to attach supporting documents to this form.**
Supporting documents will be gathered, maintained, and provided at a later date as instructed by the Court. If you do attach documents, you should attach redacted documents as supporting documentation will be made publicly available and will not be kept confidential. *See* the definition of *redaction* of information below.
- **Do not attach original documents because attachments may be destroyed after scanning.**
- **Question 3.** Members of a family may but are not required to file a proof of claim as a family but may, if they choose, submit individual claim forms for each family member that has a claim against the debtors.

- **Question 9.** If you suffered property damage, then provide the street address of each real property parcel where you suffered property damage. If you were personally evacuated as the result of a fire, then provide the address or intersection closest to where you encountered the fire and began evacuation. If you suffered property damage and were evacuated from a different location, include both. If you were a renter, provide the address of your residence.
- **Question 10.** This question requests general statements of underlying facts relating to harm and is not intended to be exhaustive or preclusive.
- **Question 11.** You are not required to include a claim amount with your proof of claim. Providing a claim amount at this time is optional.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, enclose a stamped self-addressed envelope and a copy of this form together with the original. You may view a list of filed claims in this case by visiting the Claims and Noticing Agent's website at <https://restructuring.primeclerk.com/pge>.

Understand the terms used in this form

Claim: A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (10).

Debtor: A person, corporation, or other entity who is in bankruptcy. In this instance, PG&E Corporation and Pacific Gas & Electric Company.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Proof of claim: A form that shows the creditor has a claim against the debtors on or before the date of the bankruptcy filing (in these cases, January 29, 2019). The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

Please send completed Proof(s) of Claim to:

If by first class mail:

PG&E Corporation Claims Processing Center
c/o Prime Clerk LLC
Grand Central Station, PO Box 4850
New York, NY 10163-4850

If by overnight courier or hand delivery:

PG&E Corporation Claims Processing Center
c/o Prime Clerk LLC
850 Third Avenue, Suite 412
Brooklyn, NY 11232

You may also hand deliver your completed Proof(s) of Claim to any of the following service center offices (beginning July 15, 2019 through the Bar Date (October 21, 2019) during the hours of 8:30 a.m. – 5:00 p.m. Prevailing Pacific Time):

Chico Service Center
350 Salem Street
Chico, CA 95928

Marysville Service Center
231 "D" Street
Marysville, CA 95901

Napa Service Center
1850 Soscol Ave. Ste 105
Napa, CA 94559

Oroville Service Center
1567 Huntoon Street
Oroville, CA 95965

Redding Service Center
3600 Meadow View Road
Redding, CA 96002

Santa Rosa Service Center
111 Stony Circle
Santa Rosa, CA 95401

Photocopy machines will not be available at the Claim Service Centers; you must bring a photocopy of your Proof of Claim if you wish to receive a date-stamped copy.

Do not file these instructions with your form
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Electronic Proof of Claim_LYM@S27402[[CSLT#4025#CF]]


Final Audit Report


2022-08-16

Created:	2022-08-16
By:	Kroll (efiling@ra.kroll.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAFDMDNc6t5kFQRr-n5pnINCRyqadOFjak

"Electronic Proof of Claim_LYM@S27402[[CSLT#4025#CF]]" History

 Web Form created by Kroll (efiling@ra.kroll.com)
2022-08-16 - 6:45:06 PM GMT

 Web Form filled in by Truong X. Pham (txp@arnslaw.com)
2022-08-16 - 7:14:20 PM GMT- IP address: 12.1.37.82

 (User email address provided through API User-Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10_15_7) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/104.0.0.0 Safari/537.36)
2022-08-16 - 7:14:22 PM GMT- IP address: 12.1.37.82


 Agreement completed.
2022-08-16 - 7:14:22 PM GMT

EXHIBIT B

Robert S. Arns, State Bar No. 65071 (rsa@arnslaw.com)
Jonathan E. Davis, State Bar No. 191346 (jed@arnslaw.com)
Shounak S. Dharap, State Bar No. 311557 (ssd@arnslaw.com)
Truong X. Pham, State Bar No. 339998 (txp@arnslaw.com)

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Attorneys for Cherie, Brody, and Kellen Lehman

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In Re

PG&E CORPORATION,

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Debtors.

☐ Affects PG&E Corporation
☐ Affects Pacific Gas & Electric
☒ Affects Both Debtors

*All papers shall be filed in the Lead Case,
No. 19-30088-DM

Case No.: 19-300088-DM

Chapter 11

(Lead Case—Jointly Administered)

**DECLARATION OF CHERIE
LEHMAN IN SUPPORT OF MOTION
TO ALLOW/DEEM TIMELY LATE
FILING OF PROOF OF CLAIM**

Date: September 28, 2022

Time: 10:00 a.m.

Location: Via Zoom or Telephonic
Appearance Only

Judge: Hon. Dennis Montali

Objection Date: September 21, 2022

1 I, Cherie Lehman, hereby declare as follows:

- 2 1. I, along with my sons Brody Lehman and Kellen Lehman, are the Movants in this matter.
- 3 Prior to October 8, 2017, my sons and I, including my late husband Eric Lehman, lived
- 4 in our home at 25 Pinnacle Peak Street, Napa, California.
- 5 2. On the night of October 8, 2017, my family evacuated our home only minutes before the
- 6 fire engulfed our entire property. We not only lost our home, but we lost most of our
- 7 personal property including, antiques, art, family memorabilia, photographs and videos,
- 8 jewelry, collectibles, books, computers, and clothing.
- 9 3. After we were displaced by the fire, we continued to provide continuous care for Eric
- 10 whose health continued to decline.
- 11 4. After the fire, I was unaware and was overwhelmed with the responsibility of taking care
- 12 of Eric and therefore failed to file a claim by the December 31, 2019 deadline.
- 13 5. On February 25, 2020 (approximately two months after the deadline), Eric passed away
- 14 after approximately five years since his initial battle with the disease.
- 15 6. Shortly after Eric's passing, I was involved in a lawsuit unrelated to the fires, but arising
- 16 from the death of my husband.
- 17 7. On August 9, 2022, I, along with Brody and Kellen Lehman, met with an associate from
- 18 The Arns Law Firm to discuss in detail our claims arising from the Atlas Peak fire.
- 19 8. Due to the substantial trauma of losing a husband, I was not aware of the relevant bar
- 20 dates to file a claim until after the deadline had passed.
- 21

22 I declare under penalty of perjury under the laws of the United States that the foregoing is true

23 and correct and based upon my own personal knowledge, and that if called upon to testify, I could

24 verify the accuracy of the same. Executed on August 16, 2022 in Napa, California.

25

26

27 By: Cherie Lehman

28 **CHERIE LEHMAN**